

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MINNESOTA**

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DEBRA D. KORB,

Civil No. 18-1807 (JRT/KMM)

Plaintiff,

v.

ESTATE OF DAVID N. CONSIGILO,  
SR., et al,

**ORDER ON REPORT  
AND RECOMMENDATION**

Defendants.

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Debra D. Korb, 7749 Abbott Avenue North, Brooklyn Park, MN 55443,  
*pro se* plaintiff.

Philip G. Villaume, **VILLAUME & SCHIEK, P.A.**, 2051 Killebrew  
Drive, Suite 611, Bloomington, MN 55425, for defendant Phillip G.  
Villaume.

A Report and Recommendation was filed by Magistrate Judge Katherine  
Menendez on August 20, 2018. No objections have been filed to that Report and  
Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, on all of the  
files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. This action is **DISMISSED** as follows:
  - a. Defendants Judge Steven Montgomery and the Miami County  
District Court are **DISMISSED WITH PREJUDICE** as immune  
from suit.
  - b. The claims brought by plaintiff Debra D. Korb under federal law are

**DISMISSED WITH PREJUDICE.**

c. The claims brought by Ms. Korb under state law are **DISMISSED  
WITHOUT PREJUDICE.**

2. Ms. Korb's application to proceed *in forma pauperis* [Docket No. 2]  
is **DENIED.**

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: September 7, 2018  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court